

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE VEECO INSTRUMENTS INC. : 05 MD 1695 (CM) (GAY)  
SECURITIES LITIGATION :  
:----- x  
: THIS DOCUMENT RELATES TO:  
: SECURITIES LITIGATION :  
:----- x

**MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS'  
MOTION *IN LIMINE* TO PRECLUDE ARGUMENT RELATING TO  
ALLEGATIONS FOR WHICH PLAINTIFFS HAVE ADDUCED NO EVIDENCE**

**(FILED UNDER SEAL PURSUANT TO CONFIDENTIALITY ORDER  
DATED MAY 16, 2006)**

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